

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

ACCEPTED/FILED
JAN - 8 2018
Federal Communications Commission
Office of the Secretary

In re

Elimination of Main Studio Rule

MB Docket No. 17-106

To: **Office of the Secretary**
Attn: **The Commission**

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PETITION FOR PARTIAL RECONSIDERATION

De La Hunt Broadcasting Corp. ("De La Hunt"), by its attorney, hereby requests partial reconsideration of the *Report and Order*, FCC 17-137, issued in this proceeding. With respect thereto, the following is stated:

In the *Report and Order*, the FCC for the first time determined that it would be in the public interest to eliminate the Main Studio Rule. De La Hunt agrees with that determination.

Moreover, as the *Report and Order* made clear as a part of the rationale underlying that decision:

We are persuaded that eliminating the rule will result in significant cost savings for broadcasters and other public interest benefits. For example, the record shows that in some small towns and rural areas the cost of complying with the current Main Studio Rule dissuades broadcasters from launching a station, even if the broadcaster has already obtained a construction permit for the station. Eliminating the rule thus may lead to increased broadcast service in those areas.

FCC 17-137, ¶ 11 (footnotes omitted).

This is the precise situation De La Hunt found itself in prior to the adoption of the *Report and Order*. De La Hunt is the holder of a construction permit for Pine River, Minnesota. File No. BNP-20041029AGK. The construction permit expires on April 23, 2018. Prior to the adoption of the *Report and Order*, the cost of complying with the Main Studio Rule made construction of the Pine River facility impractical. However, now that the Main Studio Rule has been eliminated, that elimination for the first time is breathing new life into the feasibility of the construction of the Pine River facility and commencement of operations. In that respect, the *Report and Order* is

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potentially doing precisely that which it intended to do – “lead to increase broadcast service.”

However, in this case, timing is crucial. Minnesota is in the midst of one of its typically harsh Minnesota winters which makes construction of the proposed Pine River AM facility (a two-tower array with its accompanying ground systems) impossible during the next four months. Therefore, in cases such as this, while the decision reached in the *Report and Order* increased in *theory* the likelihood that new facilities now can be successfully constructed to serve their proposed communities, this rule change is less helpful for those permits that *already* are at the tail-end of their currently mandated construction periods.

Accordingly, it is requested that the *Report and Order* be modified to provide that any permittees with unbuilt construction permits for new facilities with less than six months left in their construction periods (as of the effective date of the new Main Studio Rule) be afforded an additional six-months beyond their current construction period, in order to allow the time necessary for them to construct facilities that will allow implementation of the new Main Studio Rule. Adoption of this across-the-board extension will affect relatively few outstanding permits, but will undeniably be in the public interest, in so far as it will allow the FCC to fully implement its policy goal of permitting broadcasters that already had obtained construction permits (but that were dissuaded from launching their stations because of the prior Main Studio Rule) to instead have sufficient time to construct their permits for brand new facilities without the constraints of the prior Main Studio Rule, thereby providing increased broadcast service in such areas.

WHEREFORE, it is requested that this Petition for Partial Reconsideration be granted.

Respectfully submitted,

**DE LA HUNT BROADCASTING
CORP.**

By: 

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Its Attorney

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January 8, 2018